



Assemblymember Tom Ammiano, 13th Assembly District AB 1270 – California State Prisons: Media Access

IN BRIEF

Assembly Bill 1270 seeks to restore the media's ability to conduct pre-arranged in-person interviews with specific prison inmates under the discretion of the California Department of Corrections and Rehabilitation (CDCR). It would allow the media to provide more balanced information about our prison systems to keep the public informed and our institutions both transparent and accountable.

THE ISSUE

The 2011-2012 state budget allocates \$9.2 billion in taxpayer money to CDCR, yet public information regarding our prisons is limited by CDCR's restrictive media regulations. Media representatives can only conduct random interviews with a pool of inmates pre-selected by the CDCR under current regulations. In-person, pre-arranged interviews with a specific inmate are only allowed if the media representative is an approved visitor, in which case they must come at regular visitation hours and are prohibited from using any electronic recording devices or cameras. Consenting inmates with telephone privileges may engage in recorded interviews with a media representative but conversations are limited to 15 minutes.

Media is even more restricted access to the most controversial correctional facilities such as the secure housing units (SHU). Inmates detained in the SHU are kept in total isolation without any visitation and telephone privileges. These units have been heavily critiqued for confining inmates in small concrete cells for 23 hours of the day without any contact for up to several months or even years, conditions that have been shown to exacerbate mental illness.

Although SHUs house only 5% of the inmate population, the 2005 bi-partisan congressional Commission on Safety and Abuse in American Prisons reported that 70% of all California's inmate suicides occurred within this population. Without a balanced depiction of the situation, it is impossible for the public to fully understand and address potential issues within our correctional facilities.

THE SOLUTION

This bill enables media representatives to request specific in-person inmate interviews and requires CDCR to respond to requests within a 48 hour period. The department would still retain discretion over all media requests, including the ability to deny requests that pose any safety risks to the institution, staff, or a member of the public. Any responses denying a request must be accompanied with a written explanation for the request denial. Crime victims and their families would be notified of the approved interview at least two days prior to the date of the interview and inmates would be protected from any acts of retaliation by CDCR for speaking with a media representative.

BACKGROUND

Media representatives were allowed to request interviews with specific inmates for over two decades prior to 1996, when the change was made through an emergency internal regulation.

SUPPORT

American Civil Liberties Union of California
California Attorneys for Criminal Justice
California Newspaper Publishers Association
Ella Baker Center for Human Rights
Legal Services for Prisoners with Children

FOR MORE INFORMATION

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